

Application Number: 09/442,048

and for any other amendment thereto, or credit any overpayment to Deposit Account No. 50-0439.

Please amend the above-identified application as follows and consider the remarks set forth thereafter.

AMENDMENT

IN THE CLAIMS

Kindly add claim 43.

43. (New) A method for locating and navigating to a site home of a network site in an information network from a site page within the network site, comprising:

displaying the site page within a network browser display of a network browser; receiving a request to navigate from the site page to the site home of the network site, the request being provided in response to a user selecting a button provided in the browser display;

determining a site home for the network site; and

wherein a site home is found for the network site, navigating to the site home in response to the received request so that the site home is displayed within the network browser display.

REMARKS

By this amendment, claim 43 is added. Support for new claim 43 is found in the specification, drawings, and claims as originally filed, specifically at page 5 line 2 through page 7 line 26. Applicant hereby requests further examination and reconsideration of the application, in view of the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. § 103

Claims 1 through 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson (U.S. Patent No. 5,649,186 in view of Stark (U.S. Patent No. 5,935,210). Applicant respectfully traverses the rejection of these claims.

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To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03 citing *In re Royka*, 180 USPQ 580 (C.C.P.A. 1974). *See also In re Wilson*, 165 USPQ. 494 (C.C.P.A. 1970). With respect to claims 1 through 30, the primary reference, Ferguson, fails to teach or suggest a method (which may be implemented as a program of instructions) for locating and navigating to a site home of a network site in an information network from a site page within the network site including the steps of receiving a request to navigate from a site page to a site home of the network site, and wherein a site home is found for the network site, navigating to the site home in response to the received request whereby information provided by the site home may be communicated to a user as generally claimed in claims 1 and 16. Similarly, with respect to claims 31 through 42, the Ferguson reference fails to teach or suggest an information handling system capable of executing a program of instructions for configuring the information handling system to determine and navigate to a site home of a network site in the information network from a site page within the network site as claimed in claim 31.

Instead, Ferguson discloses a system and computer based method for providing a dynamic information clipping service, wherein an end-user creates a template of topics of interest via a graphical user interface and the template is transmitted to a central site for processing. Thus, as noted by the Examiner, Ferguson fails to specifically teach or suggest the step of navigating to the site home in response to the received request whereby information provided by the site home may be communicated to a user.

The Stark reference does not make up for this defect in the Ferguson reference, since contrary to the Examiner's assertions, the Stark reference also fails to teach or suggest the step of navigating to the site home in response to a received request from a user. Instead, the Stark reference teaches the generation of a tree representing the network site. Thus, the user, to go to the site home, must first find the desired site home on the tree and then manually navigate to the site home using the tree. Consequently, navigation to the site home is not performed in response to a request received from the user.

Moreover, the Examiner has provided no reason, suggestion, or motivation from the prior

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art for modifying and/or combining the teachings of Ferguson and Stark to achieve Applicant's invention. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art suggests the desirability of the combination. MPEP § 2143.01. Further, the Examiner must consider the claimed invention "as a whole" and must put aside knowledge of Applicant's disclosure in reaching a determination of obviousness. MPEP §§ 2141.02. However, the rejection contains only the Examiner's assertions that

it would have been obvious to an ordinarily skilled in the art at the time of the invention to request/receive information from/to a user for a given site for composing and mapping a desirable format or structure of the information of the site. This would avoid unnecessary navigation through a maze of hyperlinks of the given site reducing the time to access the desired information.

Consequently, it is believed that the Examiner has impermissibly attempted to use the teaching of Applicant's specification to modify the teachings of the Ferguson and Stark references to achieve Applicant's claimed invention. MPEP § 2142; *In re Zurko*, 111 F.3d 887, 42 USPQ2d 1476 (Fed. Cir. 1997); *In Re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F.2d 115, 10 USPQ2d 1397 (Fed. Cir. 1989).

With respect to claims 2 and 17, neither Ferguson nor Stark teach or suggest that wherein a site home is not found for the network site, communicating to the user that the site home was not found as presently claimed. Instead, in the passage cited by the Examiner in making this rejection, Stark states that, with respect to the tree generated,

[b]roken and unreachable links may be viewed at a glance, so users (e.g., the administrators) may find broken and unreachable links more quickly and with greater ease.

(Column 3, lines 56-58). Thus, Stark merely provides a means for indicating detecting broken and unreachable links, and does not communicate to the user that the site home was not found as claimed.

With respect to the rejections of claims 3-30 and 32-42, Applicant respectfully submits that various passages cited from throughout the Ferguson and Stark references in support of the rejections

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do not fairly teach or suggest the elements of Applicant's invention as presently claimed in these claims. Moreover, the cited passages are often unrelated, and no explanation is provided of how the elements disclosed in the passages may be combined to render the claims obvious. Consequently, it is believed that the Examiner has impermissibly attempted to use the teaching of Applicant's specification to search through the Ferguson and Stark references and modify their teachings to achieve Applicant's claimed invention. *Id.*

Accordingly, it is respectfully submitted that a *prima facie* case of obviousness of claims 1-42 has not been established. Withdrawal of the rejections of all claims under 35 U.S.C. § 103 is therefore respectfully requested.

New Claims

Neither Ferguson nor Stark, either alone or in combination, teach or suggest a method for locating and navigating to a site home of a network site in an information network from a site page within the network site, comprising the steps of displaying the site page within a network browser display of a network browser; receiving a request to navigate from the site page to the site home of the network site, the request being provided in response to a user selecting a button provided in the browser display; determining a site home for the network site; and wherin a site home is found for the network site, navigating to the site home in response to the received request so that the site home is displayed within the network browser display as presently claimed in claim 43. Accordingly, it is believed that new claim 43 is allowable over the references cited and the prior art in general.

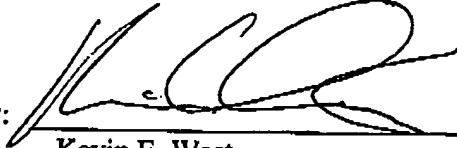
CONCLUSION

For the above reasons, it is respectfully submitted that the application is now in condition for allowance of all claims therein, withdrawal of the rejection and issuance of the application as a patent is earnestly solicited.

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